MR. M. R. RAMAKRISHNA PILLAI: Yes, Sir, I admit. I understand that you asked me for a statement on this matter.

PRESIDENT: Yes, the honourable member can make his statement.

MR. M. R. RAMAKRISHNA PILLAI: Shall I place it on the table of the Secretary or may I read it?

PRESIDENT: Notwithstanding the honourable member giving a copy of the mutilated version of his speech to the Secretary, he is at liberty to make a statement in writing about that and ask the Chair to deal with the newspaper concerned. That is what I am asking the honourable member to do.

MR. M. R. RAMAKRISHNA PILLAI: Then I shall place a statement in the hands of the Secretary.

PROCEDURE REGARDING MOVING OF CUT MOTIONS—RULING OF THE PRESIDENT.

MR. P. S. NATARAJA PILLAI: Before we proceed with the business for the day, I rise to a point of order. The other day the ruling given was that if there were more than one cut motion and if one cut motion was voted upon all the other motions lapsed.

PRESIDENT: Under that heading.

MR. P. S. NATARAJA PILLAI: Yes, Sir. But if the motion is withdrawn with the permission of the House, the position is changed. There is a ruling to the effect that if a motion is withdrawn, all the other motions under that head are in order and can be discussed. Now the procedure here is to call upon honourable members to talk on the first motion. So if the first motion is withdrawn, all the other honourable members who have sent cut motions under that particular item lose their right of making speeches and pressing for division.

MR. K. G. KUNJUKRISHNA PILLAI: On the point that when a motion is voted upon all the cut motions under that head lapse there have been specific rulings. On the other point there has not been a specific ruling. I would also bring to the attention of the Chair the ruling reported in Vol. 12 page 676 and Vol. 14 pages 524-525 of the Travancore Assembly Proceedings.

I would quote the following paragraph :—

> "The matter deserves more consideration. I do not propose to give a ruling except to allow the consideration of the motion without prejudice to the ruling referred to. The matter is of great importance and honourable members will remember that it also affects the privileges of the House. If we are to stop with the decision of one motion under one heading then the department becomes absolutely safe from any attack under any other topic. The question has to be well considered before I give a ruling."

Subsequently the Chair has not given a ruling on this matter. I may submit that when once a motion is either withdrawn or not voted upon due to some cause or other, it would be better to allow the subsequent motions to be discussed. When a motion is voted upon, all the

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. G. Kunjukrishna Pillai.]

subsequent motions under that head lapse. Otherwise the subsequent motions do not lapse.

MR. P. S. NATARAJA PILLAI: There is another ruling reported on page 141 and distinction is made when a motion is withdrawn and when it is voted upon.

MR. K. G. KUNJUKRISHNA PILLAI: I would refer the Chair to rulings 209 and 225 reported on pages 134 and 141 respectively. The ruling to which Mr. Nataraja Pillai refers is ruling 225.

PRESIDENT: I wanted to bring this to the notice of the House. I shall now give a ruling on the subject. I have been considering this matter for some time. The idea underlying the whole of this doctrine is as follows:—Let us, for instance, take any one of these grants. Take for example the Registration Department which is now under discussion. The first item relates to salaries. The second is a motion for reduction of total allotment. Supposing under salaries there had been two or three motions, all admissible, and all of them had been token, but the motion that was moved was, let us say, the first motion. Nominally, the idea is that the Department's attention is drawn, or in the case of salaries a reform is sought to be introduced and under that heading the Departmental conduct of affairs is regarded as not satisfactory. In the case of the budget, after general discussion, there is a vote on grants. These votes, although they are token motions are generally regarded as motions reflecting upon the conduct or policy of that Department. Especially so is it the case in the matter of motions for reduction of total allotment. In the case of the smaller items the usual practice has been, and I think expediency demands that that practice should be continued, to regard them as matters for the ventilation of local grievances; in other words, people who want to point out that in a particular locality a bridge or a road is necessary, have to put forward their points of view and a vote on that matter is never regarded as a vote of confidence or of no-confidence, but regarded mainly as a means afforded by the general discussion for the discussion and determination of local grievances. The case is different when we come to motions for reduction of total allotment. The motions for reduction of total allotment can be of two varieties. One set of motions may curtail the demand by 20, 50, or 100 per cent. There may be a motion to reject the whole of that demand.

In such cases there can be no controversy as to the procedure. They are distinctly votes of no-confidence in the department or the Government as the case may be. Generally speaking, votes of that kind in all departments, excepting the vote on General Administration, are not regarded as votes of confidence or no-confidence in the Government as a whole but are regarded as affecting the department in question.

LIBRARY ARCHIVES Kerala Legislative Assembly

The last category is 'token cuts'. "Token cuts" although they may be for one rupee or half a rupee, have by long convention in Parliament, in the Central Legislative Assembly and here, been regarded as tantamount to a vote of confidence or no-confidence. And for that reason, motions for reduction of total allotment are debated on that basis. That being so, the question becomes easy of solution. If a matter has been raised, debated and decided upon affirmatively under this heading say "Motion for reduction of total allotment of Rs. 27,474 by Srimati T. Narayani Amma" etc., etc., it means that the department has gone wrong in that respect and is censured mildly or severely as the case may be. On the other hand the motion may be voted out, that is, after hearing all these arguments the Assembly may come to the conclusion either that the department has conducted its affairs fairly satisfactorily or at all events that the dissatisfaction of the department is not sufficiently strong to demand such a vote. These being the principles on which token motions are voted upon, we now come to the question of withdrawal.

Withdrawal can take place in either of two ways. A member who has given a motion for a cut which, incidentally it may be remarked, need not be seconded, can withdraw it at his pleasure. If he withdraws it, it is open to the House to allow him to withdraw it or not. If it is a matter of some importance and if on account of some arrangements, which the particular member has made with the Government Benches a particular grievance has been satisfied by the Government an honourable member may withdraw his motion. It is open to the House either to allow him to withdraw or not to withdraw, but generally speaking the convention of this House is that a person who wants to withdraw his motion is allowed to withdraw it excepting where a real point of great principle is involved. That being so, although certain arguments could be advanced on the other side that because if a withdrawal is liable to rejection by the House every withdrawal must be regarded as tantamount to a vote, I think that from the point of view of convenience and expedition of business in the House it would be well to lay down as an equitable rule that where a motion is withdrawn by an honourable member, then it should not necessarily involve a jettisoning or a rejection of the other demands under that head but that the next person who has given a demand for a cut would be allowed to speak and a vote would be taken on that cut. That would be the position.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, I wish to bring to the notice of the Chair, an anomalous position that may ensue as the result of this. As stated by the Legal Remembrancer, if after the withdrawal of the first motion under a sub-head, the other persons who have tabled the cut motions under the same head are allowed to discuss them again, there would be some difficulty.

PRESIDENT: It is not a question of discussion. The principle has already been stated. As soon as Srimati Narayani Amma moves, she will be asked to speak. Then, Messrs. Udayabhanu and Nataraja Pillai will also be asked to speak. After all those persons have spoken,

LIBRARY ARCHIVES Kerala Legislative Assembly

[President.]

Srimati Narayani Amma may withdraw her motion. If, after being satisfied so far as her own cut motion is concerned, she withdraws her motion, that does not preclude the vote. It is not a question of discussion, because all the discussion would have been over by that time.

In other words, even if Srimati Narayani Amma says that she is satisfied with the explanation of Government and does not want to pursue the matter to voting point, it is open for Mr. Udayabhanu to say that a vote should be taken on his motion. That is all that the ruling implies.

DEMANDS FOR GRANTS--*(contd.)*

DEMAND XIII—REGISTRATION—*(contd.)*

MR. A. P. UDAYABHANU: Yesterday I was pressing two points before the House. One was that facilities for the effective control over the subordinates in the Registration Department should be provided so as to prevent corruption. A minimum number of documents should be fixed for disposal in the ordinary course of business and the rest would be charged with late fee, part of it going to the staff and part of it to the Government. All the work that accumulates in a day must be disposed of on the very same day. That would avoid the chances of harassing the people by the Sub-Registrar.

The second point was that trained and well-equipped people should be employed for conveyancing instead of the laymen who are now doing this job. This will prevent a lot of litigation. In this connection I would like to draw the attention of the House on a resolution passed by the Bar Council recommending to Government that all lawyers must be asked to certify every document before it is taken up for registration. But I do not ask for the turning out of all the document writers here and now. The people who are now subsisting as document writers must be given permits or licences to continue their jobs and laymen should not be recruited in future. If this is done the lawyers would be well equipped with good document writers and could work successfully which will ultimately be of great benefit to the public at large. There is another thing which I want to place before this House. People of all classes gather before the Sub Registrar's office from different places. They have to wait for hours or even days together outside the office. Therefore, just as in the Transport Department, a waiting shed may be provided for the Sub Registry offices. This would facilitate the people coming to the offices and prevent them from wandering all over the place. Further, it will avoid much crowd on the narrow verandahs of the offices.

MR. V. K. VELAPPAN NAIR (*Vaikom cum Kottayam*): സർ, ഞാൻ ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കുന്നു. ബഹുമാനപ്പെട്ട മെമ്പർ മി. ഉദയഭാനു ഈ സബ്മിഷൻ കൊടുക്കുകയും, രജിസ്റ്റർകച്ചേരിയിൽ കക്ഷികാര്യം അന്വേഷിക്കുന്ന അമ്പതുകൊല്ലമായിട്ടുള്ള ഒരു സാമാന്യരൂപം വിവരിച്ചുകേട്ടു. കോട്ടയം ടൗൺ

LIBRARY ARCHIVES Kerala Legislative Assembly